

**REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF
SUPERVISION WITH THE CONSENT OF THE OFFENDER**

(Probation Form - Waiver of Hearing is Attached)

Offender Name: David Lewis

Case No.: 2:00CR000356-01

Name of Sentencing Judicial Officer: The Honorable Charles R. Weiner

Date of Original Sentence: November 30, 2000

Original Offense: Conspiracy (Count One), transferring firearms in violation of Chapter 53 (Counts Two and Four, and Six).

Original Sentence: The defendant was committed to the custody of the U.S. Bureau of Prisons for a period of 120 months which consists of 60 months for Count One and 120 months for Counts Two, Four, and Six to run concurrently with each other. The term of 120 months is to run concurrently with the 140 month term for Counts One and Two of Criminal Number 00-362-1. The term of imprisonment is to be followed by three years supervised release on Counts One, Two, Four and Six to run concurrently with each other and with Counts Two and Three of Criminal Number 00-362-1. A special assessment of \$400.00 was imposed.

Special Conditions: 1) The defendant shall not illegally possess a controlled substance; 2) The defendant shall not possess a firearm or destructive device; 3) The defendant shall pay a fine in the amount of \$1,500.00. Any portion of the criminal monetary penalties that remain unpaid at the time of the defendant's release from custody shall become a condition of supervision and be paid in monthly installments of \$75.00.

Judicial reassignment: On December 29, 2005, this case was transferred from the Honorable Charles R. Weiner to the calendar of the Honorable Legrome D. Davis.

Type of Supervision: Supervised Release

Date Supervision Commenced: June 17, 2013

U. S. Attorney's Response: No Objections ☒ Objections ☐ No Response ☐

PETITIONING THE COURT

Mr. Lewis began smoking marijuana as a teenager. At the time of his arrest for the instant offense, Mr. Lewis reported his drug habit cost him approximately \$100.00 per day. Since he commenced his term of supervised release, Mr. Lewis has submitted three urine samples which have been negative for all controlled substances.

We are seeking a modification for drug testing and treatment solely as a precautionary measure to help us better monitor Mr. Lewis and his compliance with the conditions of supervised release. Our plan is randomly test Mr. Lewis and if he relapses to drug use, the aftercare condition will enable us to place him in a drug treatment program accordingly.

We note that we are pursuing an identical aftercare modification on Case Number 2:00CR000362-1, which is assigned to the Honorable Eduardo C. Robreno.

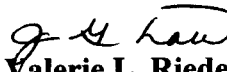
Mr. Lewis was presented with the proposed modification on August 12, 2013. He was advised of his right to discuss this matter with an attorney as well as his right to have a hearing. Mr. Lewis agreed to the proposed modification, waiving his right to a hearing.

On September 23, 2013, our office received documentation from Assistant U.S. Attorney Nancy Beam Winter indicating that she has no objection to the proposed modification.

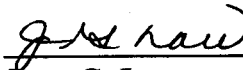
To modify the conditions of supervision as follows: The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. The defendant shall participate in a drug aftercare treatment program at the direction of the U.S. Probation Office.

Respectfully submitted,

Ronald DeCastro, Chief
U.S. Probation Officer

for: 
Valerie L. Riedel
U.S. Probation Officer

Approved:



Jana G. Law
Supervising U.S. Probation Officer
Date: 9/24/13

ORDER OF THE COURT

Considered and ordered this 26th day of Sept
2013 and ordered filed and made part of
the records in the above case.

/s/ Legrome D. Davis

U.S. District Court Judge

UNITED STATES PROBATION OFFICE
EASTERN DISTRICT OF PENNSYLVANIA

NOTICE OF REQUEST FOR MODIFICATION OF SUPERVISION CONDITIONS

TO: **David Lewis**
(Name)

CASE NO. **2:00CR000356-01**

This is to notify you that the U.S. Probation Office intends to make a formal request to the Court that the conditions of supervision be modified as follows:

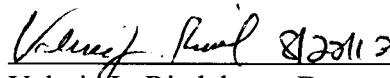
The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall participate in drug treatment and abide by the rules of any such program until satisfactorily discharged.

The reason for this modification and addendum to the conditions of supervision is:

Mr. Lewis has a lengthy history of marijuana use which began at the age of 14 and continued until the day before his arrest in the instant offense.

You are advised that you have the right to a hearing before the Court on the modification of the conditions of supervision, and that you have the right to be represented by counsel at such hearing. You also have the right to waive (give up) such a hearing. You are hereby asked to acknowledge receipt of the "Notice" by signing the applicable portion on the reverse side of this form and returning the form to your Probation Officer. If you desire a hearing, you should sign the ACKNOWLEDGMENT AND REQUEST FOR HEARING portion of the form. If you wish to waive (give up) a hearing, you should sign the ACKNOWLEDGMENT AND WAIVER portion of the form. If you request a hearing, you will be notified by this office of the time and place thereof in due course.

Ronald DeCastro, Chief
U.S. Probation Officer


Valerie L. Riedel Date
U.S. Probation Officer

VLR

ACKNOWLEDGMENT AND REQUEST FOR HEARING

I, David Lewis, hereby acknowledge receipt of the Notice of Request for Modification of the Conditions of Supervision, and request a hearing thereon with my reasons stated below:

Signed: _____
(Date)

ACKNOWLEDGMENT AND WAIVER OF HEARING

I, David Lewis, hereby acknowledge receipt of the Notice of Request for Modification of the Conditions of Supervision. I have read the Notice and understand that I have the right to a hearing before the Court on that request and to the assistance of counsel at the hearing. However, I hereby waive (give up) my right to a hearing and agree to the proposed modifications of conditions of supervision. I also certify that no promises have been made to me in order to induce me to give up my right to a hearing.

Signed: David Lewis 8-22-13
(Date)

WITNESS:

Valerie Riedel

Name

600 Arch St.
Philadelphia, PA

Address